

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
-----X
UNITED STATES OF AMERICA,

Plaintiff-Appellee,

06 Civ. 0263 (GLS)
ECF Case

v.

NOTICE OF APPEAL

NEW YORK STATE BOARD OF ELECTIONS;
PETER S. KOSINSKI and STANLEY L. ZALEN,
Co-Executive Directors of the New York State Board
of Elections, in their official capacities; and STATE
OF NEW YORK,

Defendants-Appellees.

-----X

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

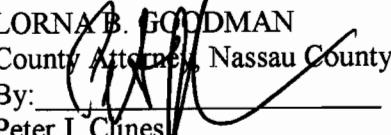
THE NASSAU COUNTY BOARD OF ELECTIONS;
and THE NASSAU COUNTY LEGISLATURE,

Defendants-Intervenors-Appellants.

-----X

Notice is given that Appellants and Proposed Defendants-Intervenors, the Nassau County Board of Elections and the Nassau County Legislature (collectively, "Appellants") hereby appeal to the United States Court of Appeals for the Second Circuit from each and every part of the Order of the District Court, Northern District of New York (Sharpe, J.), entered in this action on the 19th day of July, 2007, which, "for the reasons articulated in the U.S. Government's memorandum of law," denied Appellants' Rule 24(a)(2) motion to intervene as of right in this action and Appellant's Rule 24(b)(2) motion, in the alternative, to intervene by permission in this action.

Dated: September 13, 2007
Mineola, New York

LORNA B. GOODMAN
County Attorney, Nassau County
By: 
Peter J. Clines
(Bar Roll No. 507892)
Chief, Bureau of Affirmative Litigation
pclines@nassaucounty.ny.gov
Ralph G. Caso Executive and
Legislative Building
One West Street
Mineola, New York 11501-4820
(516) 571-3015 (telephone)
(516) 571-6684 (facsimile)
Attorney for Appellants/Proposed
Defendants-Intervenors

To:
Barbara D. Cottrell
Office of United States Attorney-Albany
445 Broadway
218 James T. Foley U.S. Courthouse
Albany, NY 12207-2924
518-431-0247
518-431-0249 fax
barbaracottrell@usdoj.gov

Brian F. Heffernan
U.S. Dept. of Justice - Civil Division Voting Section
1800 G. Street NW, Room 7260
Washington, DC 20006
202-514-4755
202-307-3961 fax
brian.f.heffernan@usdoj.gov
Attorneys for Plaintiff-Appellee United States of America

Todd D. Valentine
New York State Board of Elections
40 Steuben Street
Albany, NY 12207-1650
518-474-6367
518-486-4546 fax
tvalentine@elections.state.ny.us
Attorney for Defendants and Cross-Defendants/Appellees New York State
Board of Elections, Peter S. Kosinski, and Stanley L. Zalen

Jeffrey M. Dvorin
Office of Attorney General - Albany
Department of Law
The Capitol
Albany, NY 12224
518-474-4441
518-473-1572 fax
jeffrey.dvorin@oag.state.ny.us

Douglas J. Goglia
Office of Attorney General - Albany
The Capitol
Albany, New York 12224
518-474-6801
518-473-1572 fax
douglas.goglia.@oag.state.ny.us
Attorneys for Defendant and Cross-Defendant/Appellee State of New York

Christopher A. Jeffreys
Suffolk County Attorney's Office
100 Veteran's Memorial Highway
Hauppauge, NY 11788
631-853-4049
631-853-5833 fax
christopher.jeffreys@suffolkcountyny.gov

Leonard G. Kapsalis
Suffolk County Attorney's Office
100 Veteran's Memorial Highway
Hauppauge, NY 11788
631-853-4851
631-853-5306 fax
leonard.kapsalis@suffolkcountyny.gov
Attorneys for Proposed Defendant-Intervenor County of Suffolk

Order Forming Basis for Appeal - Text Only Order of the United States District Court,
Northern District of New York, Judge Gary L. Sharpe, Entered July 19, 2007
(unnumbered docket entry)

ADR

U.S. District Court
Northern District of New York - Main Office (Syracuse) [LIVE - Version 3.0.5] (Albany)
CIVIL DOCKET FOR CASE #: 1:06-cv-00263-GLS

07/19/2007		Text Only Order - On December 22, 2006, the Board of Elections and the Legislature of Nassau County filed a motion to intervene as a defendant in this case. Dkt. No. 100. On March 30, 2007, the County of Suffolk also filed a motion to intervene as a defendant in this case. Dkt. No. 111. For the reasons articulated in the U.S. Governments memorandum of law, Dkt. No. 115, this court declines to permit Nassau and Suffolk County to intervene. Accordingly, the motions to intervene are DENIED. Issued by Judge Gary L. Sharpe on 7/19/2007. (jel,) (Entered: 07/19/2007)
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AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
COUNTY OF NASSAU) ss. :

La CHRISTA BROWN, being duly sworn deposes and says that deponent is over twenty-one years of age, not a party to the proceeding herein and resides at Hempstead, New York; that deponent is employed in the Office of Nassau County Attorney; that on the 13th day of September, 2007, deponent served the within Notice of Appeal upon:

Barbara D. Cottrell
Office of United States Attorney-Albany
445 Broadway
218 James T. Foley U.S. Courthouse
Albany, NY 12207-2924

Brian F. Heffernan
U.S. Dept. of Justice - Civil Division Voting Section
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Washington, DC 20006
Attorneys for Plaintiff-Appellee United States of America

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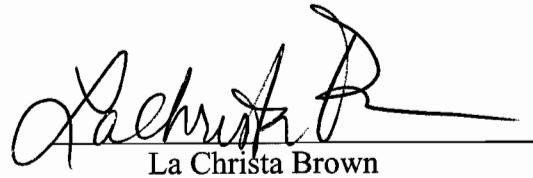
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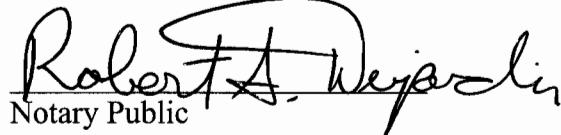
Leonard G. Kapsalis
Suffolk County Attorney's Office
100 Veteran's Memorial Highway
Hauppauge, NY 11788
Attorneys for Proposed Defendant-Intervenor County of Suffolk

By depositing a true copy of the same securely enclosed in a post-paid wrapper in a post office box regularly maintained by the United States Government at the Nassau County Executive Building, Mineola, New York.



La Christa Brown

Sworn to before me this
13th day of September, 2007



Robert S. Dujardin
Notary Public

ROBERT S. DUJARDIN
Notary Public, State Of New York
No. 01DU4954150
Qualified In Nassau County
Commission Expires Nov. 12, 2009